

REMARKS

Claims 1-69 are all the claims pending in the application.

Rejection of claims 1-32, 34-65, 67 and 68 under § 102(b) as being anticipated by

Crabtree

Claims 1-32, 34-65, 67 and 68 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Crabtree et al. (US 6,185,314). Applicant submits that following in traversal.s

Claim 1

The Examiner in the Advisory Action alleges that the generating, for example, of the height of an object by the synthesis of measurements (such as x distance from the image center to the person's feet, the horizontal viewing angle through the lens and width of the image) corresponds to the claimed generating synthesized characteristic quantities. Applicant submits that the synthesis of measurements regarding the object cluster of Crabtree does not correspond to the claimed synthesized characteristic quantities because the synthesis of measurements are used to generate real-world features only for a single object. On the contrary claim 1 recites "a characteristic-quantity synthesizing means adapted to synthesize characteristic quantities of a combination of a plurality of objects representative of characteristic quantities of respective objects included in said image information for generating synthesized characteristic quantities.

As submitted in the response dated June 29, 2009, Applicant resubmits that a big difference between the claimed invention and Crabtree is provision of a characteristic-quantity synthesizing means which is described in claim 1 of the present invention. Namely, while

synthesized characteristic quantities are generated from characteristic quantities of a plurality of objects in an exemplary embodiment of the claimed invention, alleged synthesized characteristic quantities are not generated from alleged characteristic quantities of a plurality of objects in Crabtree. In Crabtree, the alleged characteristic quantities of an object are compared with alleged characteristic quantities of each object zone, thereby calculating degrees of reliability of belonging of an object to each object zone. Then, it is determined whether an object belongs to a specific object zone. However, in Crabtree, similarly to McKenna et al. (which is described in the specification as related art), in the case where a plurality of objects are contained in a single object zone (for example, two people are superposed), etc., the alleged characteristic quantities of an object zone are added characteristic quantities of a plurality of objects. Therefore, the alleged characteristic quantities of an object zone in Crabtree are different from the alleged characteristic quantities of any object. Degrees of reliability of belonging of an object to each object zone are low. Hence, it is liable to lead to an erroneous judgment that an object belongs to a certain object zone. On the contrary, in an exemplary embodiment of the claimed invention, synthesized characteristic quantities are generated from characteristic quantities of a plurality of objects and, the synthesized characteristic quantities of a plurality of objects are compared with characteristic quantities of each object zone. Therefore, it is liable to lead to a correct judgment that a plurality of objects belong to a certain object zone, in the case where a plurality of objects are contained in a single object zone. Based on the above reason, the present invention claimed in claim 1 is not disclosed or suggested by Crabtree.

In addition, Applicant submits that the Examiner's interpretation that "a correspondence establishing means for establishing correspondences between object zones and objects" corresponds to Crabtree's establishing correspondences between object zones and correspondences between objects based on similarity between object zone characteristic quantities and similarity between synthesized object characteristics quantities is incorrect because it is clear from the claim language that a correspondence-establishing means establishes correspondence between object zones and objects and not correspondences between different object zones and correspondences between different objects, as interpreted by the Examiner in the Advisory Action dated July 16, 2009.

In conclusion, as submitted above, Applicant reiterates that the synthesis of measurements to generate real world features cannot correspond to the claimed synthesized characteristic quantities because the synthesis of measurements to generate real world features are merely used to generate real-world features only for a single object and on the other hand, claim 1 recites a characteristic-quantity synthesizing means adapted to synthesize characteristic quantities of **a combination of a plurality of objects** representative of characteristic quantities of respective objects included in said image information **for generating synthesized characteristic quantities.**

For at least the reasons submitted above, Applicant respectfully submits that claim 1 is patentable.

For reasons similar to those submitted for claim 1, Applicant respectfully submits that claims 34, 67 and 68 are also patentable.

Claims 2-32, 35-65, which depend from claims 1 or 34, are patentable at least by virtue of their dependencies.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

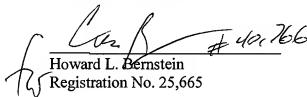
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 27, 2009


Howard L. Bernstein
Registration No. 25,665